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PTOL-413A (10-09)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/684,312 First Named Applicant: D.G. SCHNEIDER
Examiner: S. GRAVINI Art Unit: 3743 Status of Application: PENDING

Tentative Participants:

(1) EXR. S. GRAVINI (2) F. McKIEL ON BEHALF OF APPLICANT
(3) _____ (4) _____

Proposed Date of Interview: 12/18/09 Proposed Time: 11AM ET (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>112 REJ</u>	<u>17</u>	<u>GILBERT 5,713,344</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>REJ 103</u>	<u>17-27</u>	<u>CHRISTEN 3,856,374</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

☒ Proposed Amendment or Arguments Attached

Brief Description of Arguments to be Presented:

1. IPR OF PREVIOUS PATENT WAS SUGGESTED BY EXAMINER TO OVERCOME 112 REJ.
2. CHRISTEN FAILS TO REMEDY ADMITTED DEFICIENCY OF GILBERT AS TO "PANELS"

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Frank McKiel, Jr.
Applicant/Applicant's Representative Signature

/Stephen Gravin/
Examiner/SPE Signature

FRANK McKIEL, JR.
Typed/Printed Name of Applicant or Representative

43,792
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FAX to 371-273-4875

Re: Appl. No. 10/684,312

PROPOSED CLAIM AMENDMENTS FOR DISCUSSION

Appl. No. **10/684,312**

17. (Proposed) A device facilitating the heating of items, the device comprising:
a collapsible frame for suspending an item above a heat source, the frame comprising a plurality of sides, at least one of the sides being designated as a first side [having user-selectable variable construction] formed of rearrangeable panels¹ and the sides other than the first side collectively constituting the remainder of the frame;
wherein the first side [having user-selectable variable construction] is constructed of at least one panel selected [by a user] from among a plurality of at least two alternative² panels available for constructing the first side and wherein the panel is designed to be removable attached to the remainder of the frame.

28. (New) The device of claim 17 wherein a section of the first side of the frame may be selectively enclosed or left open depending on the variable arrangement of the rearrangeable panels installed.³

29. (New) The device of claim 17 wherein:

in a first in-use configuration, the first side is constructed using a first panel of a given height and attached to the frame at a position, and

in a second in-use configuration, the first side is constructed using a second panel, rather than the first panel, the second panel having a different height than the first panel and the second panel being attached to the frame at substantially the same position as the first panel in the first in-use configuration.⁴

1. Support found in as-filed specification at para. [0038]

2. See para. [0031] 1st sentence and para. [0033]

3. See para [0031] 3rd sentence.

4. See para. [0033] and compare FIG 4 and 5 noting interchange of panels 304 and 307 in bottom position. See para. [0035] and [0036].